

TITLE 6: BUILDING REGULATIONS
DIVISION 3: BUILDING REGULATIONS
Chapter 8: GENERAL PROVISIONS FOR UNIFORM CODES.
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63.081 General Provisions.

The requirements of this chapter are general in nature and apply to all the provisions in Division 3 of Title 6 of the San Bernardino County Code.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.082 Substitutions of References.

Whenever in any of the Uniform Codes adopted in this division or on or in any other location there appears a reference to the following names or terms, those names or terms shall be deemed and construed as follows, to wit:

(a) CITY OF or any other similar reference to a political entity shall mean the unincorporated territory of the County of San Bernardino.

(b) CITY COUNCIL shall mean the Board of Supervisors of San Bernardino County.

(c) BUILDING OFFICIAL, DIRECTOR OF BUILDING AND SAFETY, ELECTRICAL SAFETY ENGINEER, ADMINISTRATIVE AUTHORITY or any other similar term which makes reference to the individual official, board, department, or agency created by law to administer and enforce the provisions of the codes adopted herein shall mean the San Bernardino County Director of Building and Safety and his or her authorized assistants.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987); Amended Ordinance #3584 (1994); Amended Ordinance #3627 (1995);

63.083 Permit Fees.

Any and all references to the amount of fees in any of the Uniform Codes herein adopted are hereby deleted and referenced to in Division 6 of Title I of the San Bernardino County Code Schedule of Fees.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.084 Annual Permits.

(a) Where any person, firm or corporation in the course of normal maintenance procedures proposes to install, alter or repair any electrical wiring, devices, appliances, plumbing, drainage systems, septic tanks, seepage pits, leaching lines, heating, ventilating, refrigeration or water conservation equipment in an existing facility located on property under the direct control of such person, firm or corporation and is able to, and does in fact, furnish inspection service which meets the requirements and rules and regulations of the San Bernardino County Code, and whose operations are under the continuous supervision of a professional engineer or engineers, duly registered with and licensed by the State of California, such person, firm or corporation shall not be required to obtain approval at each consecutive inspection step of the installation, alteration or repair but shall be required only to obtain an annual permit or annual permits and assure that the work in progress is accessible to the Building Official for such periodic inspections as he or she may deem necessary.

(b) The fee for each separate Annual Permit (Electrical, Plumbing, Mechanical) shall be based upon the number of employees doing work in the crafts covered in each Annual Permit in accordance with Division 6 of Title I of the San Bernardino County Code Schedule of Fees.

(c) The designated responsible supervising engineer shall file with the San Bernardino County Building Official a written report specifying the work done under the issued Annual Permit. Such written report shall be filed with the Building Official within thirty (30) days following the end of the fiscal year for which the permit was issued.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2662 (1982);
Amended Ordinance #2815 (1983); Amended Ordinance #3130 (1987); Amended Ordinance #3627 (1995);

63.085 Interpretation of Code.

It shall be the duty of the Chief Inspectors, under the administration of the San Bernardino County Building Official, to enforce the provisions of the codes herein adopted and to determine the intent and meaning thereof. Any determination or decision, made by any of the Chief Inspectors and concurred in by the Building Official, which is in dispute is subject to review and final decision by the Board of Appeals as established by Section 204 of the Uniform Building Code 1988 Edition.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987); Amended Ordinance #3627 (1995);

63.086 Preliminary Soil Report.

(a) APPROVAL OF FINAL SUBDIVISION MAP.

(1) Subdivision maps shall not be given a final approval until a preliminary soil report, prepared by a civil engineer, registered by the State of California, has been filed with and approved by the San Bernardino County Building Official.

(2) The preliminary soil report shall indicate the presence, if any, of expansive soils or any other soil problem which, if not corrected, would lead to structural defects. If defective soil conditions are indicated, the preliminary report shall include recommendations for corrective measures intended to prevent structural damage to buildings erected on the site. Acceptance and approval of these recommendations shall not preclude the consideration and approval of alternate methods of correction which may be submitted by any other California registered civil engineer when accompanying a permit application for construction of a specific building or buildings.

(3) The preliminary soil report shall be based upon test borings or excavations. The number of borings or excavations shall be adequate to determine fully the extent and degree of soil problems, if any, which exist in the proposed subdivision provided, however, that not less than three (3) such borings or excavations shall be required for each report. If critically defective soil conditions are disclosed by initial borings or excavations, additional borings or excavations shall be made at the probable building location on each lot or parcel within the subdivision. Appropriate notations shall be made upon the subdivision map so as to indicate the location and type of defective soil noted in the preliminary report.

(4) The Building Official shall approve the preliminary soil report.

(A) If no defective soils are present on the site, or

(B) If the corrective measures recommended in the report would be likely to prevent structural damage to any buildings constructed on the site.

(5) The preliminary soil report may be waived when the sole purpose of the subdivision map is to assemble small lots or parcels into large lots or parcels or to define, adjust or correct property lines of existing subdivisions.

(6) The issuance of a building permit for the construction of a building on a lot or parcel of land which has been found to have defective soils shall be conditioned on the incorporation of an approved corrective measure intended to prevent structural damage to the building.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.087 Water Conservation.

Stationary equipment or machinery, or water utilized for heating or cooling in an industrial process, shall not be wasted but shall be recirculated and reused. Every evaporative cooler shall be equipped with a circulating pump.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.088 Penalty for Violation.

Where work for which a permit is required by the codes herein adopted is started or proceeded without first obtaining the required permit, a permit shall not be issued until all past due enforcement costs are paid. The

enforcement costs are the actual costs, as specified in Division 6 of Title I of the San Bernardino County Code Schedule of Fees, and must be paid on demand. The San Bernardino County Building Official may use any legal means available to collect enforcement fees. The payment of such enforcement fees shall not relieve any persons from fully complying with the requirements of these codes in the execution of the work nor from any other penalties prescribed herein. Any section in any of the codes herein adopted which is in conflict with this section is hereby repealed.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.089 Interpretation, Legal Procedure, and Penalties.

(a) INTERPRETATION. In interpreting and applying the provisions of this division, said provisions shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

(b) PENALTIES. Any building or structure erected or maintained, or any use of property contrary to the provisions of this division shall be and the same is hereby declared to be unlawful and a public nuisance and the San Bernardino County Counsel may, upon request of the San Bernardino County Building Official, immediately commence an action or actions, proceeding or proceedings, for the abatement, removal and enjoinder thereof in the manner provided by law and shall take such steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building, structure, or use, and restrain and enjoin any person from erecting or maintaining such building or structure or using any property contrary to the provisions of this division.

(1) All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof.

(2) All other provisions of the San Bernardino County Code notwithstanding, any person, firm or corporation, whether as principal, agent or employee, violating or causing or permitting the violation of any of the provisions of this division, or of any permit or exception granted hereunder, shall be guilty of an infraction or misdemeanor as hereinafter specified, and each day such violation is in existence shall constitute a new and separate offense. Any person so convicted shall be:

(A) Guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100) and not less than fifty dollars (\$50) for a first violation;

(B) Guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200) and not less than one hundred dollars (\$100) for a second violation.

(C) The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000) and not less than five hundred dollars (\$500) or six (6) months in jail, or both.

Notwithstanding the above, a first or second offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein provided shall not relieve a person, firm, corporation, or other entity from the responsibility of correcting the condition, resulting from the violation. In addition to the above penalties the court may order that the guilty party reimburse the County of San Bernardino for all of its costs of investigating, analysis and prosecuting the enforcement action against the guilty party; the court shall fix the amount of any such reimbursements upon submission of proof of such costs by the County.

(3) Each such person, firm or corporation shall be deemed guilty of a separate offense upon each day during any part of which any violation of any of the provisions of this division is committed, continued, permitted or maintained by such person, firm or corporation.

(4) A Notice of Pendency of Administrative Action or Proceeding may be filed in the Office of the San Bernardino County Recorder at the time of commencement of action or proceeding or at any time before final judgment or order. The County Recorder shall record and index the tendency of action in the name of each person specified in the action or proceedings. After all required work has been completed and approved, the San Bernardino County Building Official shall record in the Office of the County Recorder a document terminating the above Notice.

(5) In the event that any person, firm or corporation shall fail, neglect or refuse to demolish, remove, abate or correct a structure or condition existing in violation of this division, upon his or her or its property after a civil court order or criminal conviction obtained pursuant to this section, the Board of Supervisors may order the Building Official to demolish, remove, abate or correct the offending structure or condition. A statement of the cost of such work shall be transmitted to the San Bernardino County Board of Supervisors who shall cause the same to be paid and levied as a special assessment against the property.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.0810 Findings.

The Board of Supervisors of the County of San Bernardino, State of California, finds that these regulations and provisions and those of the codes adopted herein are in compliance with §17958 of the Health and Safety Code of the State of California and that the modification and changes herein made to the model codes herein adopted are reasonably necessary because of local climatic, geological or topographical conditions. A copy of Ordinance No. 3462 shall be forwarded to the Department of Housing and Community Development of the State of California by the Clerk of the Board of Supervisors of the County of San Bernardino, State of California, and said copy will serve to satisfy the requirement of filing of findings as stated in §17958.7 of the Health and Safety Code of the State of California.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);

63.0811 Validity.

If any chapter, section, subsection, sentence, clause or phrase of the division is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this division nor its application to other persons or circumstances. The San Bernardino County Board of Supervisors hereby declares that it would have passed this division and each chapter, section, subsection, clause, sentence or phrase thereof, irrespective of the fact that any one or more section, subsection, clause, sentence and phrase be declared unconstitutional.

Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983);
Amended Ordinance #3130 (1987);